

★ JUL 29 2005 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

JTH TAX, INC., d/b/a LIBERTY TAX
SERVICE,

Civ. Action No. 05 CV 457
(JG)(JMA)

Plaintiff,

- v. -

LIBERTY TAX SOLUTIONS, LLC,
ALI M. CHIRAGDIN and SCEROJNI P.
SUKHAI,

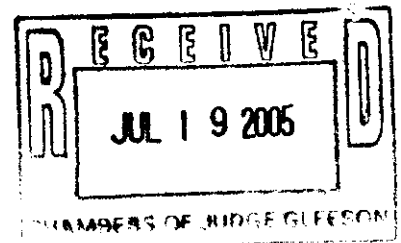
Defendants.

AGREED PERMANENT INJUNCTION

THIS DAY CAME the parties, by counsel, and represented that all matters in controversy had been resolved and settled and that as part of that settlement the parties have agreed to the permanent injunctive relief set forth below:

UPON THE PARTIES' AGREEMENT, and it appearing proper to do so, the Court hereby ORDERS that Defendants, and all persons and entities in active concert or participation with them, shall, within one (1) week of the date of the entry of this Order, do the following:

1. discontinue further use of the word mark "Liberty Tax" and/or any mark confusingly similar thereto;
2. discontinue further use of a design mark or logo containing a full or partial image of the Statue of Liberty to advertise or promote their business;
3. take steps to file a certificate of dissolution for "Liberty Tax Solutions LLC," presently on file with the division of Corporations of the Department of State of New York;



4. discontinue their telephone listings for "Liberty Tax Solutions" and any use of numbers that have been associated with those listings, including the numbers (718) 322-3220 and (718) 322-3623;
5. discontinue any on-line listings or advertisements for "Liberty Tax Solutions," including any listings on, with or through the following web sites or services: the Yahoo Local Yellow Pages, Verizon Super Pages, www.phonebook.super-pages.com, www.neartome.com, and/or www.consultants-near-me.com;
6. where they have not themselves placed an on-line listing, cooperate with plaintiffs' counsel in taking steps to ensure that on-line listings are promptly removed or deleted;
7. Notwithstanding the generality of the foregoing, Defendants can continue to use the EFIN tax number associated with Liberty Tax Solutions LLC through October 2005 for the sole purpose of filing documents with federal and local tax authorities.
8. By August 21, 2005, provide proof of the steps Defendants have taken to accomplish the ends sought to be achieved by this Order, describing the steps that were taken, when and by whom they were taken, and the results that were achieved.
9. The Court shall continue to retain jurisdiction over this matter for the purpose of seeing that the Order is carried out.
10. The matter shall then be dismissed with prejudice, each party to bear its and/or their own costs.
11. Towards this end, the parties have informed the Court that they will be executing a Stipulation of Discontinuance with Prejudice and signing mutually acceptable releases and holding those documents in escrow. They will release them from escrow once the immediate objectives of paragraphs (1) through (6) have been achieved. Within twenty days of that date, the Stipulation of Discontinuance with

Prejudice shall be filed with the Court and a file-stamped copy sent to Defendants' counsel.

12. The release provided to Defendants shall not extend to or release Defendants with respect to any future infringements or violations of this Order.

June _____, 2005

ENTER: s/John Gleeson

United States District Judge

DATE: _____

07-27-05

WE ASK FOR THIS:

JTH TAX, INC. d/b/a/ LIBERTY TAX SERVICE

By: Emily M. Bass

Emily M. Bass (EB-2888)
Law Offices of Emily Bass
25 Washington Street, Suite 305
Brooklyn, N.Y. 11201-1090
tel.: (718) 522-9705

LIBERTY TAX SOLUTIONS, LLC,
ALI M. CHIRAGDIN and SCERONJI P.
SUKHAI

By: Jeannetta Alexander

Jeannetta Alexander, Esq. (JA-0972)
34 Ridge Drive
Westbury, New York 11590
tel.: (212) 850-7313

